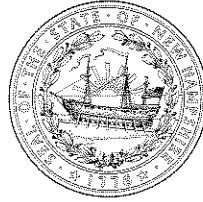


**ATTORNEY GENERAL  
DEPARTMENT OF JUSTICE**

33 CAPITOL STREET  
CONCORD, NEW HAMPSHIRE 03301-6397

KELLY A. AYOTTE  
ATTORNEY GENERAL



MICHAEL A. DELANEY  
DEPUTY ATTORNEY GENERAL

September 12, 2005

Section 5 Submission

Chief, Voting Section  
Civil Rights Division  
Room 7254 – NWB  
Department of Justice  
950 Pennsylvania Ave., NW  
Washington, DC 20006

Re: Submission Under Section 5 of the Voting Rights Act for:

New Hampshire Revised Statute Annotated ("RSA") 654:39, a STATUTE related to verification of the checklists every 10 years, most recently amended by Laws of 1990 Chapter 119 and previously amended by the chapters cited below.

Dear Voting Section Chief:

Pursuant to 42 U.S.C. § 1973 (c), the State of New Hampshire, through the Office of the New Hampshire Attorney General, hereby submits RSA 654:39, a STATUTE related to verification of the checklists every 10 years, most recently amended by Laws of 1990 Chapter 119 and previously amended by the chapters cited below.

SUBMISSION:

In accordance with 28 C.F.R. § 51.27, the submission is as follows:

a) Chapter 119 (1990) amending RSA 654:39 is attached (Exhibit 654:39 A).

1. Chapter 306 (1979) amending RSA 654:39 is attached (Exhibit 654:39 B)

b) The starting point for analysis, previously precleared, Chapter 436 (1979) recodifying RSA 69:26-a as RSA 654:39 is attached (Exhibit 654:39 C).

- c) The changes made by amendments to RSA 654:39 are as follows:
1. Chapter 4 (1994) makes the following changes:
    - a. Inserts the phrases “...and post...” and “...clerk or at the town hall...” in the first sentence of paragraph II
    - b. Replaces the word “...in...” with the phrase “...and at the office of...” in the first sentence of paragraph II
    - c. Removes the phrase “...provided, that in the city of Manchester, the period shall be between February 1 and August 1...” in the first sentence of paragraph II
    - d. Replaces the phrase “...in the state general election...” with the phrase “...in either of the 2 previous state general elections...” in paragraph IV (a)
    - e. Inserted the phrase “...or, if in a city, the most recent regular city election held prior to the verification...” at the end of paragraph IV (b)
  2. Chapter 306 (1979) significantly rewrites paragraph IV in this statute in the following manner:
    - a. Replacing paragraph IV (a) with the following “...such person voted in the state general election in the year immediately preceding a 10-year verification, or...”
    - b. Replacing paragraph IV (b) with the following “...such person voted in the annual town meeting in the year of a 10-year verification...”
  - d) This submission is made by: Senior Assistant Attorney General Orville B. Fitch II, 33 Capitol Street, Concord, New Hampshire 03301, Phone: (603) 271-1238.
  - e) The submitting authority is New Hampshire Attorney General, Kelly A. Ayotte for the State of New Hampshire.
  - f) Not applicable.
  - g) The changes for which pre-clearance is sought were made by a decision of the New Hampshire General Court (Legislature).

- h) In accordance with Amendment X of the U.S. Constitution, the New Hampshire General Court, the State's legislature, acting pursuant to the New Hampshire Constitution Part Second, Article 2, granting supreme legislative power within the state to the House and Senate, who with right to negate each other are granted power to make law through Part Second, Article 5. Additional authority regarding election law is vested in Part First, Article 11.

The legislature through a bicameral process passed law to create Chapter 119 (Exhibit 654:39 A). The bill was signed into law (by the Governor) on April 19, 1990, pursuant to New Hampshire Constitution Part Second, Article 44.

- i) Adoption dates:

1. Chapter 119 (1990) adopted April 19, 1990
2. Chapter 306 (1979) adopted June 23, 1979

- j) Effective dates:

1. Chapter 119 (1990) effective June 18, 1990
2. Chapter 306 (1979) effective August 21, 1979

- k) The changes have been enforced.

- l) The changes affect the entire State of New Hampshire.

- m) The purpose for the changes are as follows:

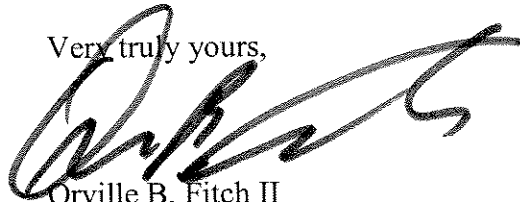
1. The purpose of the Chapter 119 (1990) change is to require supervisors to post notice of their sessions, to update the checklist every 10 years and to amend the conditions that must be met before a person is subject to be removed from the checklist if that person does not respond to a 30 notice letter, by increasing the number of state general elections from one to two preceding the 10-year verification. In other words prior to the change a person who had not voted in the prior cycle was subject to the notice and removal procedure. Following the amendment a person who had not voted in the prior two cycles is subject to the notice and removal procedure. Anyone who voted in any election in the prior 2 cycles or four years, would automatically remain on the checklist. The amendment also allows city residents to qualify for remaining on the checklist

and not being sent a notice if they vote in the city general election prior to the 10-year verification.

2. The purpose of the Chapter 306 (1979) change is to clarify when a person is deemed reregistered for purposes of this section by removing specific year references and inserting general principles for supervisors to follow
- n) These changes do not negatively target any protected class under section 5 of the Voting Rights Act of 1965. *42 U.S.C. 1973c*. They are expected to have neutral impact and do not meet the test of retrogression defined in *Reno v. Bossier Parish Sch. Bd*, 520 U.S. 471, 478 (1997). “(T)he ability of minority groups...to elect their choices to office” will not be diminished. *Beer v. U.S.*, 425 U.S. 130,141 (1976).
  - o) None known.
  - p) RSA 654:39 was precleared through 1979 on June 22, 2004 by D.O.J. file numbers 2004-2563, 2004-2581 and 2004-2582. A copy of this preclearance is attached as Exhibit 654:39 D. This submission seeks preclearance of all subsequent changes.
  - q) Not applicable as this is not a redistricting plan.
  - r) Exhibit 654:39 E is a copy of a Press Release of this submission, its availability, and inviting comment to federal Department of Justice.

I expect the foregoing information is sufficient to enable the United States Attorney General to make the required determination pursuant to Section 5 of the Voting Rights Act. If further information is required or would be helpful, please contact me.

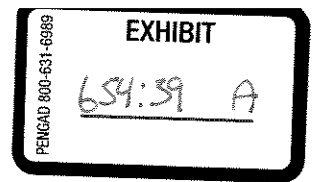
Very truly yours,



Orville B. Fitch II  
Senior Assistant Attorney General  
Civil Bureau  
(603) 271-1238  
[bud.fitch@doj.nh.gov](mailto:bud.fitch@doj.nh.gov)

22march89.....2230h

1/11/90-4325s



**1989 SESSION 1424B**

89-1040

10

**HOUSE BILL AMENDED BY THE SENATE**

HOUSE BILL NO. 562-FN

INTRODUCED BY: Rep. Flanagan of Rockingham Dist. 8; Rep. Holden of  
Hillsborough Dist. 9

REFERRED TO: Constitutional and Statutory Revision

AN ACT making technical changes in the election laws.

---

**AMENDED ANALYSIS**

This bill amends the election laws relative to:

- I. The information on voter registration forms.
- II. The information used on checklists and checklist procedures.
- III. Posting and the availability of checklists.
- IV. The time for holding sessions to correct the checklist and the procedures used during those sessions.
- V. Certifying and verifying checklists.
- VI. Placing the name of substitute candidates on the ballot.
- VII. Records of absentee ballots.
- VIII. Posting general election warrants.
- IX. Appointing assistant election officials.
- X. Disqualifying election officials.

-----

EXPLANATION: Matter added appears in **bold italics**.

Matter removed appears in [brackets].

Matter which is repealed and reenacted or all new appears in regular type.

1424B

89-1040

10

# STATE OF NEW HAMPSHIRE

In the year of Our Lord one thousand

nine hundred and eighty-nine

## AN ACT

making technical changes in the election laws.

Be it Enacted by the Senate and House of Representatives in General Court convened:

1 Form of Voter Registration Card. RSA 654:7 is repealed and reenacted to read as follows:

654:7 Voter Registration Form. A standard registration application form shall be used throughout the state. The registration form shall be 4 inches by 6 inches and shall be made in triplicate. The secretary of state shall provide for the preparation of the voter registration form which shall be in substantially the following form:

Date \_\_\_\_\_

## VOTER REGISTRATION CARD

(Please print or type)

1. Name .....

Last First Middle Initial

2. Address .....

Street Ward Number

6 Checklist Certification. Amend RSA 654:29, I to read as follows:

I. The supervisors shall subscribe and make oath to the following certificate on [the back of] the checklist, as corrected by them: We, the supervisors of the checklist of the town (or ward) of .....

do solemnly swear that, according to our best knowledge, the within list contains .....  
(number) names of those persons only who are, by actual domicile, legal voters in said town (or ward).

7 Posting Checklist. Amend RSA 654:33 to read as follows:

654:33 Posting Copies; Notice of Sessions. The supervisors shall post copies of the checklist, showing the persons in the town or ward entitled

to vote, with their party registration, so far as such registration has been made, [in 2 or more public places in such town or ward] **at the office of the town or city clerk or at the town hall** at least 10 days prior to any session provided for in RSA 654:32; and notice of the date, hour and place of the **session or** sessions to revise such registration shall be given upon such [checklists] **checklist**.

8 Session for Verification of Checklist. Amend RSA 654:39, II to read as follows:

II. Between April 1 and August 1 of 1981 and thereafter in each year ending with a one, the supervisors shall advertise **and post** notice of their sessions at least twice in a newspaper of general circulation [in] **and at the office of the town or city clerk or at the town hall** and hold sufficient sessions for verification of the checklist as in their opinion will enable all eligible voters in said town or ward to appear before them and register or reregister as the case may be; provided, that in the city of Manchester, the period shall be between February 1 and August 1]. Whenever a person is reregistered, his party designation, if any, on the checklist undergoing revision shall not be changed except as provided in RSA 654:34.

9 Registered Voter for Checklist Verification Purposes. RSA 654:39, IV is repealed and reenacted to read as follows:

IV. For the purpose of this section, a person shall be deemed reregistered and need not appear before the supervisors if:

- (a) The person voted in either of the 2 previous state general elections immediately preceding a 10-year verification; or
- (b) The person voted in the annual town election in the year of a 10-year verification or, if in a city, the most recent regular city election held prior to the verification.

10 Pastors and Substitute Candidates. Amend RSA 656:21 to read as follows:

656:21 Pastors; **Substitute Candidates**. In the event that a candidate dies or is disqualified as provided in RSA 655:38 or 655:39, the name of the substitute candidate shall be printed on the state general election ballot. If the state general election ballots have already been prepared and time will permit, the secretary of state may authorize adhesive slips or pasters with the name of the substitute candidate thereon to be printed and sent to the town or city clerks representing the territory wherein the deceased or disqualified candidate was to be voted for. Such paster shall be

## CHAPTER 306

1979]

**48-A:14 Minimum Standards Established.** No landlord, as defined by RSA 540-A:1, I, renting or leasing a residential dwelling in a municipality which has not adopted ordinances, codes or by-laws pursuant to this chapter shall maintain those rented premises in a condition in which:

I. The premises are infested by insects and rodents where the landlord is not conducting a periodic inspection and eradication program;

II. There is defective internal plumbing or a back-up of sewage caused by a faulty septic or sewage system;

III. There are exposed wires, improper connectors, defective switches or outlets or other conditions which create a danger of electrical shock or fire;

IV. The roof or walls leak consistently;

V. The plaster is falling or has fallen from the walls or ceilings;

VI. The floors, walls or ceilings contain substantial holes that seriously reduce their function or render them dangerous to the inhabitants;

VII. The porches, stairs or railings are not structurally sound;

VIII. There is an accumulation of garbage or rubbish in common areas resulting from the failure of the landlord to remove or provide a sufficient number of receptacles for storage prior to removal unless the tenant has agreed to be responsible for removal under the rental agreement and the landlord has removed all garbage at the beginning of the tenancy;

IX. There is an inadequate supply of water or whatever equipment that is available to heat water is not properly operating;

X. There are leaks in any gas lines or leaks or defective pilot lights in any appliances furnished by the landlord; or

XI. The premises do not have heating facilities that are properly installed, safely maintained and in good working condition, or are not capable of safely and adequately heating all habitable rooms, bathrooms and toilet rooms located therein, to a temperature of at least an average of 65 degrees F; or, when the landlord supplies heat in consideration for the rent, the premises are not actually maintained at a minimum average room temperature of 65 degrees F in all habitable rooms.

**305:8 Effective Date.** This act shall take effect 60 days after its passage.

[Approved June 22, 1979.]

[Effective Date August 21, 1979.]

## CHAPTER 306 (HB 238)

## AN ACT RELATIVE TO VERIFICATION OF CHECKLISTS.

*Be it Enacted by the Senate and House of Representatives in General Court convened:*

**306:1 Checklist Verification.** Amend RSA 654:39, IV (supp) as inserted by 1979, 436:1 by striking out said paragraph and inserting in place thereof the following:

IV. For the purpose of this section, a person shall be deemed reregistered and need not appear before the supervisors if:

(a) such person voted in the state general election in the year immediately preceding a 10-year verification; or

(b) such person voted in the annual town meeting in the year of a 10-year verification.



**306:2 Effective Date.** This act shall take effect 60 days after its passage.

[Approved June 22, 1979.]

[Effective Date August 21, 1979.]

[Editor's Note. This chapter was edited in accordance with 1979, 436:9.]

## CHAPTER 307 (HB 273)

### AN ACT RELATIVE TO ADMINISTRATIVE PROCEDURES.

*Be it Enacted by the Senate and House of Representatives in General Court convened:*

**307:1 Review of Rulemaking.** Amend RSA 17-G:8, I (supp) as inserted by 1977, 436:1 by inserting after subparagraph (c) the following new subparagraph:

(d) the elimination of confusing, inefficient or unnecessary rulemaking.

**307:2 Rule Analysis.** Amend RSA 17-G:8 (supp) as inserted by 1977, 436:1 by inserting after paragraph II the following new paragraph:

II-a. The director of legislative services shall submit to the relevant committees of the house and senate, as determined by RSA 17-G:6, an analysis of the rules of each agency listed in the termination schedule established under RSA 17-G:5. Such analysis shall include but not be limited to the following:

(a) The statutory passage or passages granting the agency rulemaking authority;

(b) The agency compliance with the filing provisions of RSA 541-A;

(c) Whether the rules on file with the director of legislative services meet the uniform drafting requirements established under RSA 541-A:4, III;

(d) An identification of other areas of rulemaking authority delegated to the agency which the agency has not used;

(e) How often an agency updates its rules; and

(f) Recommendations on how the statutory passages granting rulemaking authority should be amended in order to effectuate the purposes of RSA 17-G:8, I (d).

**307:3 Declaratory Rulings.** Amend RSA 541-A:1, IV (supp) as inserted by 1973, 507:1 as amended, by striking out in line 11 after the word "interpretation" the following (or) and inserting in line 13 after the word "him" the following (or (d) declaratory rulings) so that said paragraph as amended shall read as follows:

IV. "Rule" shall mean each regulation, standard or other statement of general applicability adopted by an agency to (a) implement, interpret or make specific a statute enforced or administered by such agency or (b) prescribe or interpret an agency policy, procedure or practice requirement binding on persons outside the agency, whether members of the general public or personnel in other agencies. The term does not include (a) internal memoranda which set policy applicable only to its own employees and which do not affect private rights or change the substance of rules binding upon the public, (b) informational pamphlets, letters or other explanatory material which refer to a statute or rule without affecting its substance or interpretation, (c) personnel records relating to the hiring, dismissal, promotion, or compensation of any public employee, or the disciplining of such employee, or the investigating of any charges against him, or (d) declaratory rulings.

**307:4 No**  
amended b  
line 12 aft  
services an

(a) giv  
include a st  
description  
where and  
thereon. T  
request of  
shall be p  
circulation  
any notice  
general be  
notice shal  
chairman  
matter;

**307:5 R**  
507:1 as a  
thereof th

I. Each  
copy of ea  
effective c  
accompan

(a) A  
statute to  
make rule

I, \_\_\_\_\_  
hereby ce

Date: \_\_\_\_\_

(b) A  
of related  
and the sp

The abse  
paragrap  
director c

**307:6 F**

[Approve  
[Effective

*Be it En  
conven*

**308:1**

**654:38 Verification of Checklists.** On petition of 50 registered voters or 5 percent of the registered voters in any town or ward, whichever is less, or on petition of a majority of the board of supervisors of the checklist filed with the secretary of state within 30 days after a state election, the ballot law commission shall conduct an investigation to determine whether or not there should be a revision and verification of the checklist of said town or ward. At least one public hearing duly advertised in a newspaper of general circulation in said town or city shall be held by the commission at such time and place it may determine. In the event of an affirmative decision, the commission shall direct the supervisors to revise and verify such checklist. Thereupon the supervisors shall revise and verify such checklist in the following manner:

I. Between April 1 and August 1 in the next even-numbered year, the supervisors shall advertise notice of their sessions at least twice in a newspaper of general circulation in the town or city and hold sufficient sessions for verification of the checklist as in their opinion will enable all eligible voters in said town or ward to appear before them and register or reregister as the case may be. Whenever a person is reregistered, his party designation, if any, on the checklist undergoing revision shall not be changed except as provided in RSA 654:34.

II. Beginning June 1 and not later than 60 days thereafter, the supervisors shall review the checklist and shall strike therefrom the names of all persons who have not registered or reregistered under paragraph I of this section; provided that there shall not be stricken from said checklist the name of any person duly qualified to vote unless such person shall, not less than 30 days prior to such action, have been sent notice by the supervisors at his last known address of his failure to reregister stating the procedure to be followed in order to reregister and have his name retained on said checklist nor unless such person shall have been given a reasonable opportunity to follow said procedure.

III. Upon completion of verification of the checklist, but, in no event later than September 1, the supervisors shall file with the secretary of state the following certificate: We, the supervisors of the checklist of the town (or ward) of \_\_\_\_\_, do hereby certify that we have verified the checklist of registered voters in the town (or ward) \_\_\_\_\_ of the city) of \_\_\_\_\_ as directed by the ballot law commission.

IV. In verifying the checklist in accordance with the provisions hereof, the supervisors shall not register or reregister any person unless he is a duly qualified voter as required by the provision of RSA 654:1 -654:6.

V. The supervisors may appoint such temporary assistant supervisors as may be necessary, but who shall have none of the powers and duties of supervisors. As compensation for services performed hereunder, the supervisors and assistant supervisors shall receive such sums as may be voted by the city government or town meeting of the city or town in which they serve.

#### **654:39 Verification Every Ten Years.**

I. In addition to any verification carried out under the provisions of RSA 654:38, the supervisors shall verify the checklist in 1981 and once every 10 years thereafter.

II. Between April 1 and August 1 of 1981 and thereafter in each year ending with a one, the supervisors shall advertise notice of their sessions at least twice in a newspaper of general circulation in the town or city and hold sufficient sessions for verification of the checklist as in their opinion will enable all eligible voters in said town or ward to appear before them and register or reregister as the case may be; provided, that in the city of Manchester, the period shall be between February 1 and August 1. Whenever a person is

reregistered, his party designation, if any, on the checklist undergoing revision shall not be changed except as provided in RSA 654:34.

III. Beginning June 1 of such year, the supervisors shall review the checklist and shall strike therefrom the names of all persons who have not registered or reregistered under paragraphs I and IV; provided, that there shall not be stricken from said checklist the name of any person duly qualified to vote unless such person, not less than 30 days prior to such action, shall have been sent notice by the supervisors at his last known address of his failure to reregister stating the procedure to be followed in order to reregister and have his name retained on said checklist nor unless such person shall have been given a reasonable opportunity to follow said procedure.

IV. For the purpose of this section, a person shall be deemed reregistered and need not appear before the supervisors:

(a) if he has voted in the 1972 state general election or in any succeeding biennial election in each year ending with a zero; or

(b) if he has voted in the 1973 town election or in any succeeding town election in each year ending with a one.

V. Upon completion of verification of the checklist, but in no event later than September 1, the supervisors shall file with the secretary of state the following certificate: We, the supervisors of the checklist (or registrars of voters) of the town (or ward) \_\_\_\_\_ of \_\_\_\_\_, do hereby certify that we have verified the checklist of registered voters in the town (or ward) \_\_\_\_\_ of the city) of \_\_\_\_\_, pursuant to the provisions of RSA 654:39.

VI. In verifying the checklist in accordance with this section, the provisions of RSA 654:38, IV and V shall apply.

#### **Checklists: Special Provisions**

**654:40 Checklist for Additional Polling Place.** In towns which have established an additional polling place as provided in RSA 658:10, a separate checklist shall be prepared as provided in RSA 658:12.

**654:41 Checklists for Unincorporated Places.** Checklists for voters in unincorporated places shall be prepared and corrected as provided in RSA 668.

**654:42 Complaint to Superior Court.** Any citizen of the state may, in term time or vacation, file a complaint with the superior court stating that his name is illegally kept from or his name or that of some other citizen is illegally placed upon the checklist of a town or ward and the facts upon which the complaint is based. Said complaint shall be deemed sufficient if it sets forth the basis of the complaint and may be filed by the complainant with the clerk of court or any justice thereof. The complainant may appear with or without counsel. Thereupon, the presiding justice in term time, or any justice of the superior court in vacation, shall order that a copy of the complaint be served on the supervisors of the checklist of the town and on the citizens other than the complainant named in the petition and shall set a time and place for an immediate hearing. The justice hearing the case may order the name of any voter concerning whom the complaint is made to be added or removed from the checklist as justice requires, and his decision shall be final on question of fact as in equity cases.

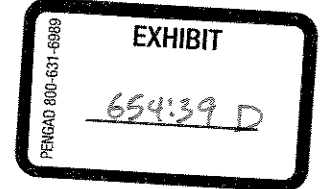
**654:43 Penalty for Failure to Keep Correct List.** The supervisors of the checklist shall be guilty of violations if the supervisors at any session fail to correct the checklist, on receiving satisfactory evidence:

I. Shall neglect or refuse to strike from the list the name of any person who is not a legal voter; or



U.S. Department of Justice

Civil Rights Division



JDR:RPL:SMC:jdh  
DJ 166-012-3  
2004-2563  
2004-2581  
2004-2582

Young Section - NWB  
950 Pennsylvania Avenue, N.W.  
Washington, DC 20530

June 22, 2004

Orville B. Fitch II, Esq.  
Assistant Attorney General  
Civil Bureau  
Department of Justice  
33 Capitol Street  
Concord, New Hampshire 03301-6397

Dear Mr. Fitch:

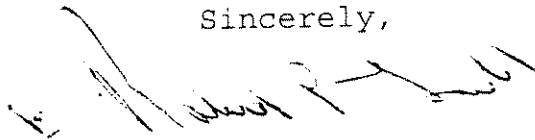
This refers to Session Law Chapter 436 (HB 575) (1979), which recodifies the election laws of the State of New Hampshire; Session Law Chapter 266 (HB 577) (2003), which implements the Help America Vote Act of 2002 (HAVA), 42 U.S.C. 15301-15545; and the adoption of formal administrative procedures for the resolution of election law complaints, including complaints filed under Title III of HAVA, submitted to the Attorney General pursuant to Section 5 of the Voting Rights Act, 42 U.S.C. 1973c. We received your submissions on June 7, 2004.

The Attorney General does not interpose any objection to the specified changes. Regarding Session Law Chapter 266, we note that the act specifically amends the following provisions of the State's election laws: RSA 655:19, II (Chapter 387 (1991)) (to provide for the deposit of certain candidate filing fees collected by the secretary of state into the election fund); RSA 655:19-c (Chapter 387 (1991)) (to provide for the deposit of any administrative assessments paid to the secretary of state into the election fund); RSA 664:3, I (Chapter 351 (1997)) (to provide for the deposit of political committee registration fees paid to the secretary of state into the election fund); RSA 664:21, II (Chapter 351 (1997)) (to provide for the deposit of any administrative fines for violations of the State's campaign finance laws into the election fund); and RSA 665:7 (Chapter 436 (1979)) (to authorize the Ballot Law Commission to hear and resolve complaints alleging violations of Title III of HAVA, as specified).

We note also that Section 5 expressly provides that the failure of the Attorney General to object does not bar subsequent litigation to enjoin the enforcement of the changes. In addition, as authorized by Section 5, we reserve the right to reexamine this submission if additional information that would otherwise require an objection comes to our attention during the remainder of the sixty-day review period. See Procedures for the Administration of Section 5 of the Voting Rights Act (28 C.F.R. 51.41 and 51.43).

Session Law Chapter 266 includes provisions that are enabling in nature. Therefore, the State is not relieved of its responsibility to seek Section 5 preclearance of any changes affecting voting proposed to be implemented pursuant to this legislation (e.g., creation of a centralized statewide voter registration database by the secretary of state and guidelines issued by the secretary of state implementing the database). See 28 C.F.R. 51.15.

Sincerely,

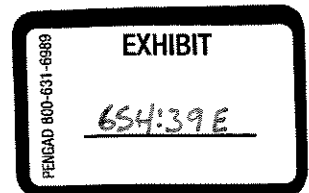
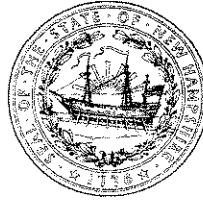
A handwritten signature in dark ink, appearing to read "Joseph D. Rich", is written over a horizontal line.

Joseph D. Rich  
Chief, Voting Section

**ATTORNEY GENERAL  
DEPARTMENT OF JUSTICE**

33 CAPITOL STREET  
CONCORD, NEW HAMPSHIRE 03301-6397

KELLY A. AYOTTE  
ATTORNEY GENERAL



MICHAEL A. DELANEY  
DEPUTY ATTORNEY GENERAL

News Release

RELEASED BY: Attorney General Kelly A. Ayotte

SUBJECT: Voting Rights Act – Submission of a request for preclearance of changes to New Hampshire Voting laws and procedures

DATE: June 10, 2005

RELEASE TIME: Immediate

Attorney General Kelly A. Ayotte announces the submission of requests for preclearance of changes made to the election laws in New Hampshire to the Federal Department of Justice. Preclearance submissions will address changes made to New Hampshire's election laws since jurisdictions in the State became subject to preclearance.

Ten New Hampshire towns are subject to section 5 of the federal Voting Rights Act. Changes to New Hampshire election laws that affect any of these ten towns must be submitted for review by either the Federal Department of Justice or the Federal District Court for Washington D.C. The federal Department of Justice will review the changes to New Hampshire's election laws to ensure that the changes do not have the effect of denying or abridging the right to vote on account of race or color, or membership in a language minority group. Changes to New Hampshire redistricting statutes have been submitted to, and approved by, the U.S. Justice Department since the 1980 census. Federal regulations require that the public be notified that the State has filed a request for preclearance and that the submission be available for public inspection.

Copies of each submission by the Attorney General for the State of New Hampshire are available at the office of the Attorney General at 33 Capitol Street, Concord New Hampshire, 03301. Each document will also be made available at the Attorney General's Office web site at:

<http://www.doj.nh.gov/elections/>

Attorney General Ayotte and the federal Department of Justice invite persons interested in this submission to submit comments and information, in writing or by telephone, to the Voting Section of the Federal Department of Justice, Civil Rights Division, at the earliest possible date to ensure that they may be considered during the preclearance review time period. Telephone 1-800-253-3931 or (202) 307-2385 or write Chief, Voting Section, Civil Rights Division, Room 7354 – NWB, Department of Justice, 950 Pennsylvania Ave., NW, Washington, DC 20530. The envelope and first page should be marked "Comment under section 5." Additional information on the Voting Rights Act and the preclearance process can be obtained at the web site of the Federal Department of Justice at:

<http://www.usdoj.gov/crt/voting/index.htm>

The New Hampshire Attorney General's Office Voting section can be contacted at:

<http://www.doj.nh.gov/elections/>  
New Hampshire Toll Free 1-866-8868-3703  
or 1-866-VOTER03  
[electionlaw@doj.nh.gov](mailto:electionlaw@doj.nh.gov)